



Austrian Patent Office

Application No. 200605485-2	Applicant: DOW AGROSCIENCES LLC
Filing date 18 March 2005 (18.03.2005)	(Earliest) Priority Date 19 March 2004 (19.03.2004)

GENERAL OBSERVATIONS

Unity of invention is given.

Consequently, all parts of the application were the subject of examination in establishing this report.

Basis of the opinion:

The written opinion has been drawn on the basis of the application as transmitted with the request; and in consideration of the search report prepared by the US Patent Office/ISA, dated 26.05.2005.

Further Remarks:

The following observations on the clarity of the claims, description and drawings or on the question whether the claims are fully supported by the description, are made:

The term "protectant" (claims 5,10) should be specified.

The formulation "...wherein the amount applied ... in said locus." (claim 11) is redundant, because it does not show concrete features; it should be either deleted or specified.

The Applicant is thereby INVITED TO REPLY to this opinion within **5** months from the date of the Registrar's letter enclosing the written opinion.

HOW? By submitting a written reply, accompanied where appropriate, by the amendments.

IF NO REPLY IS TRANSMITTED, the examination report will be established on the basis of this written opinion. The Applicant's attention is drawn to the fact that a later submission will be considered not to have been made and will therefore not be taken into account.

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EXAMINATION REPORT
 WRITTEN OPINION

Application No.
200605485-2

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Date of actual completion of the report / opinion: 9 March 2008 (09.03.2008)

1. STATEMENT

Novelty (N) YES Claims 1-16

NO Claims ---

Inventive step (IS) YES Claims 1-16

NO Claims ---

Industrial applicability (IA) YES Claims 1-16

NO Claims ---

2. CITATIONS AND EXPLANATIONS

US 3594185 A describes a method of treating soybeans comprising the steps of: heating the complete beans clear through with dry heat to cause their hulls to split, agitating the heat-treated soybeans in water to cause the cotyledons to swell and expand, and immersing the expanded cotyledons in a heated second bath having sugar therein, and thereafter roasting the cotyledons to develop an edible nut-like product having desirable flavour and colour. Said method represents a process for making soynuts. A pesticide as component is not described.

US 6676982 B2 refers to a nutritional food bar, which comprises a mixture of vitamins, minerals, proteins, carbohydrates and fats. The "Y"-classification of said document is really not understood.

US 1636688 A pertains to composition designed to eradicate from buildings such insects as roaches and waterbugs. The composition contains boric acid and sodium fluoride, both substances are deadly to insects, combined with bait substances such as sugar.

US 2813058 A shows a rodenticide comprising a plurality of discrete pellets, said pellets containing both a rodent attractant and a rodent poison dispersed in a plastic mass.

As none of the cited documents shows compositions combining soynuts with at least one pesticide, claims 1-16 are new. Inventiveness is also given for said claims, because such a combination is not evident from the disclosure of the above-cited documents.

Industrial applicability is given.